

1 Martha G. Bronitsky  
Chapter 13 Standing Trustee  
2 Po Box 5004  
Hayward, CA 94540  
3 (510) 266 - 5580

4 Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

7 In re

8 Lauren J Massa-Lochridge

Chapter 13 Case No. 19-42592-RLE13

10 debtor(s)

11 **Trustee's Motion to Dismiss Chapter 13 Case for Unreasonable Delay that is Prejudicial to**  
12 **Creditors; Declaration and Notice and Opportunity to Object**

13 TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:

14 Martha G. Bronitsky, Chapter 13 Standing Trustee, files this Motion to Dismiss pursuant to 11 U.S.C.  
15 Section 1307(c)(1) upon the debtor(s)' unreasonable delay that is prejudicial to creditors.

16 1. This chapter 13 case was filed on 11/17/2019. A Chapter 13 Plan was filed on 12/02/2019. The  
17 Chapter 13 Trustee and Legal Title Trustee for Truman 2016 SC6 Trust Fund filed objections to  
18 confirmation. At the confirmation hearing on 02/11/2020, the Court sustained the Trustee's objection to  
19 confirmation (doc. #29). The issues – both technical and substantive, dealing with feasibility and  
20 Debtor's ability to increase payments from \$900 to \$15,650 starting in March 2020 -- have yet to be  
21 resolved. The Debtor has failed to produce evidence of a new job that would enable her to fund her plan.  
22 Based on the above, the Trustee seeks dismissal based on unreasonable delay that is prejudicial to  
23 creditors.

1 TO AVOID DISMISSAL

2 Within 21 days of this notice, YOU MUST resolve the issue or file an opposition/request for  
3 hearing detailing why the case should not be dismissed stating specific actions you have taken or will  
4 take to resolve the issue.

5  
6 You should contact your attorney immediately to be advised of your legal options.

7  
8 If you do not timely take action, YOUR CASE MAY BE DISMISSED WITHOUT  
9 FURTHER NOTICE OR HEARING.

10 PURSUANT TO LOCAL BANKRUPTCY RULE 9014-1(b)(3)(A) NOTICE IS HEREBY GIVEN:

11 Any objection to the requested relief, or a request for hearing on the matter, must be filed and served upon  
12 the initiating party with 21 days of the mailing of notice; any objection or request for hearing must be  
13 accompanied by any declarations or memoranda of law any requesting party wishes to present in support of  
14 its position; if there is no timely objection to the requested relief or a request for hearing, the court may  
15 enter an order granting relief by default.

16 In the event of a timely objection or request for hearing, (either): the initiating party will give at  
17 least seven days written notice of the hearing to the objecting or requesting party, and to any trustee or  
18 committee appointed in the case; or the tentative hearing date, location, and time are "n/a".

19 I declare under penalty of perjury that the foregoing is true and correct.  
20  
21

22 Date: February 25, 2020

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky  
Chapter 13 Standing Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the registered agent for the creditor by depositing it in the United States mail with first class postage attached thereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Lauren J Massa-Lochridge  
1601 Beverly Place  
Berkeley, CA 94707

Nathan D Borris Atty  
1380 A Street  
Hayward, CA 94541

(Debtor(s))

(Counsel for Debtor)

Date: 2/25/2020

/s/ Colleen Cazadamont

Colleen Cazadamont